

## Message Text

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ACTION STR-07

INFO OCT-01 STRE-00 ISO-00 AF-10 EUR-12 EA-10 NEA-10  
IO-13 AGRE-00 CEA-01 CIAE-00 COME-00 DODE-00  
EB-08 FRB-03 H-01 INR-10 INT-05 L-03 LAB-04  
NSAE-00 NSC-05 PA-01 CTME-00 AID-05 SS-15 ITC-01  
TRSE-00 ICA-11 SP-02 SOE-02 OMB-01 DOE-15 /156 W  
-----125776 131710Z /14

P 131641Z APR 78  
FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 8347  
INFO AMEMBASSY BRASILIA  
AMEMBASSY BRUSSELS  
AMEMBASSY NEW DELHI  
AMEMBASSY TOKYO

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USMTN

USEEC

ACTION STR PASS ELECTRONICALLY  
STR PASS CODEL

E.O.11652:N/A  
TAGS: ETRD, MTN  
SUBJECT: FRAMEWORK NEGOTIATIONS: FUTURE WORK

1. GATT DG LONG CONVENED FOR FIRST TIME A "3 PLUS 3 GROUP"  
TO CONSIDER CURRENT STATUS AND APPROPRIATE NEXT STEP IN  
FRAMEWORK NEGOTIATIONS, WHICH HE CONSIDERS SERIOUSLY LAG-  
GING BEHIND SOME OTHER SUBJECTS IN MTN. PRESENT WERE U.S.  
(AMBASSADOR MCDONALD), EC (LUYTEN), JAPAN (UKAWA), BRAZIL  
(AMBASSADOR MACIEL), INDIA (KUMAR), AND BOTH DEPUTY DGS  
PLUS STAFF; SIXTH COUNTRY REP, TOMIC OF YUGOSLAVIA, WAS  
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ABSENT DUE TO ILLNESS.

2. IN RESPONSE TO DG'S QUERY ON CURRENT STATE OF DISCUS-  
SIONS, DRAFT PAPERS, ETC., DELS GAVE HIGHLY GENERALIZED  
DESCRIPTION OF CONSULTATION TO DATE ON VARIOUS FRAMEWORK  
TOPICS, WITH MACIEL SUGGESTING THAT BOP DISCUSSIONS HAD  
MADE MOST PROGRESS. SECRETARIAT SEEMED GENUINELY UNAWARE

OF EXTENT AND DEPTH OF ONGOING INFORMAL DISCUSSIONS. FYI: WE PLAN TO GIVE SECRETARIAT FULL BRIEFING ON CONSULTATIONS WE HAVE HELD SO AS TO PUT THEM IN THE PICTURE AND PERHAPS AVOID ILL-CONSIDERED INITIATIVES BASED ON LONG'S THEORY THAT FRAMEWORK IS LAGGING. END FYI.

3. RE QUESTION OF HOW TO PROCEED FROM HERE, MACIEL MADE HIS TRADITIONAL SUGGESTION THAT DETAILED WORK BEGIN WITH TOPIC I (LEGAL FRAMEWORK/S&D ENABLING CLAUSE), AFTER WHICH WE COULD MOVE SEQUENTIALLY TO OTHER TOPICS. IN RESPONSE, U.S. SUGGESTED (WITH REFERENCE TO EARLIER COMMENT BY EC) THAT SINCE TOPIC I AND TOPIC IV (RECIPROCITY/GRADUATION) SEEMED TO BE LINKED, THEY MIGHT BE TAKEN UP ONE WEEK, WITH TOPICS II (BOP SAFEGUARDS) AND V (EXPORT CONTROLS) THE SUBJECT OF WORK IN THE SUBSEQUENT WEEK; FOR TIME BEING, TOPIC III (DISPUTE MANAGEMENT) COULD BE HELD ASIDE IN VIEW OF SUBSTANTIAL PROGRESS BEING MADE IN VARIOUS CODE EXERCISES, KEEPING IN MIND THAT AT END OF DAY A COMMON PATTERN AND PROCESS FOR DISPUTE MANAGEMENT OUGHT TO EMERGE. LDC REPS DID NOT OBJECT TO THIS APPROACH AS LONG AS POINT-BY-POINT DISCUSSION WOULD BE POSSIBLE, WHILE LUYTEN URGED THAT WHATEVER THE WORK METHOD, IT BE KEPT VERY INFORMAL IN ORDER TO AVOID FAMILIAR DEBATE ON LEGITIMACY OF WORK PROGRAM. DG AGREED ON INFORMALITY AND NOTED PREMIUM ON CONFIDENTIAL, RESTRICTED WORK METHOD FOR TIME BEING WHERE A "NUCLEUS" OF SAME PEOPLE WOULD BE WORKING ON ALL TOPICS, BUT WITH LIMITED OFFICIAL USE

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FLEXIBILITY TO ADD ADDITIONAL PARTICIPANTS DEPENDING ON THE SUBJECT.

4. DELS AGREED TO HOLD FIRST EXPERIMENTAL SESSION, COVERING TOPICS I AND IV, AFTERNOON OF APRIL 20. SIMILAR SESSION AGREED IN PRINCIPLE FOR TOPICS II AND V DURING FOLLOWING WEEK. OBJECT WOULD BE, AT MINIMUM, "IN-DEPTH DISCUSSION" OF SPECIFIED SUBJECTS; MACIEL EXPRESSED HOPE THAT SUCH WORK COULD EVOLVE SHORTLY INTO GENUINE DRAFTING EXERCISE.

5. KUMAR ANNOUNCED, WHEN DG ASKED WHETHER ANY FURTHER PROPOSALS, PAPERS, ETC., WOULD BE FORTHCOMING, THAT INDIA WOULD BE SUBMITTING NEW PAPER SOMETIME NEXT WEEK TO "SUPPLEMENT" INF/16 (BRAZILIAN PROPOSALS ISSUED IN NAME OF SEVERAL LDC DELEGATIONS). KUMAR WAS VAGUE ON SUBJECTS TO BE ADDRESSED BY INDIAN PAPER BUT SAID IT WOULD BE IN SAME "FRAMEWORK" AS EARLIER PAPERS.

6. COMMENT AND ACTION REQUESTED: MTN DEL WOULD APPRECIATE RECEIVING ANY NEW OR REFINED WASHINGTON VIEWS ON TOPICS I AND IV. WHILE WE HAVE GUIDANCE TO CRITICIZE/IMPROVE EC AND BRAZILIAN ENABLING CLAUSE PROPOSALS, WOULD WELCOME

GUIDANCE ON ACCEPTABLE FINAL ENABLING CLAUSE TOWARD WHICH WE SHOULD WORK. ALSO WOULD APPRECIATE ADDITIONAL GUIDELINES OR ILLUSTRATIVE DRAFT LANGUAGE ON ALL-PURPOSE "GRADUATION" PROVISIONS TO ASSURE WE OBTAIN PARALLEL PROGRESS ON IV AS DISCUSSIONS PROCEED ON I. SOME EXPERIMENTAL LANGUAGE CONTAINED IN 77 GENEVA 10952; OTHER MTN DEL IDEAS HANDCARRIED TO WASHINGTON BY OLIVER OF COMMERCE DURING WEEK OF APRIL 3. TO BE MOST USEFUL WE WOULD NEED ANY NEW MATERIAL BY OPENING OF BUSINESS GENEVA TIME APRIL 20.

7. DRAFTED BY HARTZELL MCDONALD

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## Message Attributes

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**Channel Indicators:** n/a  
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**Draft Date:** 13 apr 1978  
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